

SENATE BILL No. 330

DIGEST OF INTRODUCED BILL

Citations Affected: IC 26-2-8-116.

Synopsis: Electronic health care transactions. Establishes requirements for an electronic signature and identification system that is used for certain transactions involving individual identifiable health information.

Effective: July 1, 2005.

Lewis

January 6, 2005, read first time and referred to Committee on Economic Development and Technology.

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First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 330

A BILL FOR AN ACT to amend the Indiana Code concerning commercial law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 26-2-8-116 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2005]: **Sec. 116. (a) As used in this section, "authorization"**
4 **means a consent, an approval, or an authorization between an**
5 **individual and a person.**

6 **(b) As used in this section, "electronic identification" means the**
7 **electronic identification system for form, location, and**
8 **endorsement that is specified in subsection (d).**

9 **(c) Electronic signature authentication and identification may**
10 **be used for an individual who participates in agreements,**
11 **authorizations, contracts, records, or transactions that involve**
12 **individually identifiable health information, including medical**
13 **records and record keeping, transfer of medical records, medical**
14 **billing, health care proxies, health care directives, consent to**
15 **medical treatment, medical research, and organ and tissue**
16 **donation or procurement.**

17 **(d) The electronic authentication and identification under**



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1 subsection (c) must be accomplished by an interactive system of
2 security procedures that include the following:

3 (1) A tamper proof electric appliance that receives input of
4 unique identification numbers, unique biometric identifiers,
5 and global positioning system signal devices.

6 (2) A computerized authentication process for biometric
7 identifiers that is linked to the appropriate identification
8 numbers upon receipt of the identifiers.

9 (3) Transmission of verification of the identifiers to a securely
10 maintained electronic repository.

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